

Notice of Allowability

Application No.

09/658,658

Examiner

Aaron Strange

Applicant(s)

MCLAUGHLIN, MICHAEL JAMES

Art Unit

2153

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 1/22/2007.
2. ☒ The allowed claim(s) is/are 1-30.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


GLENTON B. BURGESS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Marcel Bingham (Reg. No. 42,327) on 5/8/2007.

The application has been amended as follows:

IN THE CLAIMS:

- a. In claim 16, REPLACE "computer-readable medium" WITH "computer-readable storage medium" in line 1.
- b. In claim 17, REPLACE "computer-readable media" WITH "computer-readable storage medium" in line 1.
- c. In claim 18, REPLACE "computer-readable media" WITH "computer-readable storage medium" in line 1.
- d. In claim 19, REPLACE "computer-readable medium" WITH "computer-readable storage medium" in line 1.
- e. In claim 20, REPLACE "computer-readable medium" WITH "computer-readable storage medium" in line 1.
- f. In claim 21, REPLACE "computer-readable medium" WITH "computer-readable storage medium" in line 1.

- g. In claim 22, REPLACE "computer-readable medium" WITH "computer-readable storage medium" in line 1.
- h. In claim 23, REPLACE "computer-readable medium" WITH "computer-readable storage medium" in line 1.
- i. In claim 24, REPLACE "computer-readable medium" WITH "computer-readable storage medium" in line 1.
- j. In claim 25, REPLACE "computer-readable medium" WITH "computer-readable storage medium" in line 1.
- k. In claim 26, REPLACE "computer-readable medium" WITH "computer-readable storage medium" in line 1.
- l. In claim 27, REPLACE "computer-readable medium" WITH "computer-readable storage medium" in line 1.
- m. In claim 28, REPLACE "computer-readable medium" WITH "computer-readable storage medium" in line 1.
- n. In claim 29, REPLACE "computer-readable medium" WITH "computer-readable storage medium" in line 1.
- o. In claim 30, REPLACE "computer-readable medium" WITH "computer-readable storage medium" in line 1.

IN THE SPECIFICATION:

At page 155, line 15, REPLACE "and transmission media" WITH ", transmission media and storage media".

At page 155, line 17, BEFORE "Transmission media includes ..." INSERT
"Storage media includes both non-volatile media and volatile."

Allowable Subject Matter

2. Claims 1-30 are allowed.

EXAMINER COMMENT

3. In the interest of clarifying the record, the Examiner would like to note that the amendments to the specification and claims 16-30, presented above, are to clarify that the claims do not encompass transmission media, such as coaxial cables, copper wire, fiber optics, acoustic waves, or light waves. Any other type of media described in the specification (See at least pages 155-157) has been interpreted as falling within the scope of "storage media".

Response to Arguments

4. Applicant's arguments, see page 14 of remarks filed 2/14/07, with respect to claims 12 and 19 have been fully considered and are persuasive. The rejection of those claims has been withdrawn.

Conclusion

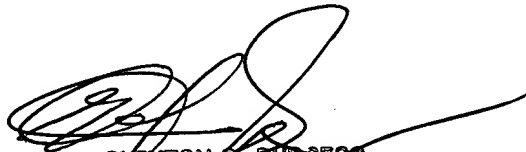
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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron Strange whose telephone number is 571-272-3959. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess can be reached on 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AS
5/8/07



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